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STATE PROCUREMENT OFFICE

NOTICE & REQUEST FOR SOLE SOURCE

STATE PROCUREMENT OFFICE
STATE OF HAWAII

1. TO: Chief Procurement Officer
2. FROM: Russ K. Saito, Comptroller, Dept. of Acct. & Gen. Services
Department/Division/Agency

Pursuant to HRS §103D-306 and HAR Chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

3. Description of goods, services, or construction:

See attached.

4. Vendor Name: Federal Signal Corporation

Address: 2645 Federal Signal Drive
Universtiy Park, IL 60484

5. Price:

\$5,600,000.00 (Approx.)

6. Term of Contract:
(mm/dd/yyyy)

From: Nov. 1, 2010

To: Oct. 31, 2014

7. Prior Sole Source Ref No.

8. Feature: The good, service, or construction has the following unique features, characteristics, or capabilities:

See attached.

9. Essential features. How the unique features, characteristics, or capabilities are essential for the agency to accomplish its work:

See attached.

11. Alternate source. The following other possible sources for the good, service, or construction were investigated but do not meet our needs because:

See attached.

11a. Other Information: A prior Restrictive Specification Request (R.S. No. 10-001-B) was approved on May 26, 2010 by the State Procurement Officer. However, since that time, the State Civil Defense has requested that DAGS procure the disaster warning and communication system devices (sirens) separate from the construction installation, thus requiring a sole source. If approved the a separate competitive solicitation will be procured for the installation/construction of the siren system as a "state furnished (sirens)/contractor install" contract. The reason for this change is that it is anticipated that the State will received better overall pricing.

12. Direct any inquiries to:

Department: Dept. of Acct. & Gen. Services

Contact Name/Title: Eric K. Nishimoto/Proj. Mgt. Branch Chief

13 Phone Number:

808-586-0460

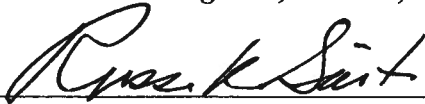
Fax Number:

808-586-0530

Expenditure may be processed with a purchase order/pCard: ☐ Yes ☒ No
If no, a contract must be executed and funds certified.

Agency shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data, if required.

14 *I certify that the information provided above is to the best of my knowledge, true, correct and that the goods, services, or construction are available through only one source.*



Department Head Signature

8/20/10

Date

Reserved for CPO Use Only

15 Date Notice Posted: 8/23/10

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
State Procurement Office
P.O. Box 119
Honolulu, Hawaii 96810-0119

16. Chief Procurement Officer's comments:

Approval granted for sole source of siren systems and associated ancillary items including 1) automated control console hardware and software; 2) radio, satellite, and commercial wireless signaling sub systems to include radio transceivers, modems and encoder/decoder assemblies; and 3) FSC siren parts and subassemblies required for migration of existing sirens to the target configuration as well as items required to retrofit/restore failed sirens prior to full upgrade.

This approval is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. Sole source contracts in excess of \$100,000 require cost or pricing data pursuant to HAR chapter 3-122, subchapter 15. This award is required to be posted on the Awards Reporting System.

17. ☒ APPROVED ☐ DISAPPROVED ☐ NO ACTION REQUIRED


Chief Procurement Officer

12/14/2010
Date

ATTACHMENT TO
NOTICE AND REQUEST FOR
FEDERAL SIGNAL CORPORATION

3. Description of goods, services or construction:

This sole source request is for Disaster Warning & Communication Device Systems (sirens) manufactured by Federal Signal Corporation (FSC).

The Hawaii State Civil Defense (SCD) is responsible for installing and maintaining the statewide system of sirens which are used to warn people in the area of sirens of a potential natural or man-made disaster or hazardous situation. These incidents include but are not limited to disasters such as a tsunami, hurricane, or an air raid attack on the people of Hawaii by an opposing group or country. There are currently 364 sirens located throughout the state and additionally 145 new sirens are required in areas that lack sufficient coverage. In addition, existing sirens will need to be upgraded due to compatibility requirements with the siren system controls or replaced due to its age. FSC sirens account for 361 sirens that are currently installed or in existence of the total 364 sirens statewide.

8. Feature: The goods, services, or construction has the following unique features, characteristics, or capabilities:

The FSC siren system has unique features, characteristics and capabilities for the following reasons:

1. FSC sirens have become the De Facto standard for State of Hawaii Disaster Warning & Communication Device Systems through past competitively bid projects. FSC sirens will allow SCD to fully implement a standardized control and maintenance of the system statewide.
2. FSC sirens will be fully compatible with existing FSC installed infrastructure and the Commander control software which is currently being implemented to modernize siren control systems state-wide with existing disparate radio systems, while providing increased security and accountability.
3. Having sirens from different manufacturers will not be compatible. FSC sirens will provide system supportability, and are backwards compatible and utilize common components with the broad range of existing FSC sirens currently installed in the State of Hawaii.
4. Some older electronic sirens will need to be retrofitted or replaced to implement the control capabilities of the current sirens. Because a very large majority of the existing sirens are FSC sirens, it is more feasible to retrofit existing FSC sirens than it is to replace all existing FSC sirens with another manufacturer's sirens. The estimated cost to retrofit existing FSC sirens for full compatibility with the current FSC control system is \$727,500. To replace all existing FSC with another manufacturer's siren is estimated to cost \$21,675,000. See attached letter from Major General Robert G.F. Lee, Director of Civil Defense dated December 21, 2009.

9. Essential Features: How the unique features, characteristics, or capabilities are essential for the agency to accomplish its work:

The State of Hawaii Disaster Warning & Communication Devices System is comprised of 361 existing FSC sirens.

1. FSC sirens have become the De Facto standard in the State of Hawaii. The existing 364 sirens state-wide are a combination of various vintage FSC sirens and 3 non-FSC sirens, which were purchased by State Civil Defense for their evaluation. The selection and award of FSC hardware in all State of Hawaii CIP projects has occurred through competitively bid CIP contracts in the past 20 years. The fact that no vendor has been able to successfully bid another vendor's sirens also reflects complicated integration aspects of the control and communications systems used to activate the sirens. FSC's technical staff has readily adopted and implemented State of Hawaii unique operational specifications into their product line to maximize the functionality of their products in the State of Hawaii.
2. Operational compatibility with the existing 361 FSC sirens statewide is critical. State Civil Defense has selected the FSC "Commander" control system, since it is inherently compatible with the existing FSC

ATTACHMENT TO
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FEDERAL SIGNAL CORPORATION

siren fleet. The use of the Commander console will standardize disparate control systems used in each County with a common automated controller with inherent access security to limit system control to only authorized uses with assigned passwords. This will preclude unauthorized system activation as well as improper use and false system activation by untrained staff. It also integrates directly with existing FSC sirens capable to providing system status and results of remote maintenance and diagnostic checks. This system will also facilitate remote siren control for individual and group siren sounding, and allows an authorized user to activate sirens from any location State-wide with access to the State intranet. This includes all County EOCs and Warning Points State-wide.

3. System supportability is essential due to technical training requirements, repair parts stocks, and support channel coordination. The support of non FSC sirens will require radio technicians to be trained on 2 or more manufacturer's products. Repair parts stocks would have to be significantly increased, to support disparate manufacturer sirens. Similarly, duplicate or triplicate support lines for factory level technical support and assistance will be required. This significantly increases the cost, complexity and burden on maintenance support operations. In view of the limited resources available in operation and maintenance budgets even in good economic times, establishing support for sirens manufactured by different manufacturers will significantly increase the burden and cost over the life cycle of the siren systems, and is impractical. A single/sole source system will allow the state to effectively and efficiently accomplish its work.

11. Alternate source: The following other possible sources for the goods, services, or construction were investigated but do not meet our needs because:

There are other siren manufacturers, however these other sirens would not be compatible with the existing FSC installed infrastructure and the Commander control software which is currently being implemented to modernize siren control systems state-wide with existing disparate radio systems, while providing increased security and accountability.

In an attempt to allow for non-restrictive specifications a Request for Proposal (RFP) was issued on January 15, 2009 which included a pre-qualification step for siren manufacturers to qualify their product. Four (4) siren manufacturers submitted pre-qualifications: Federal Signal Corporation, Acoustical Technology, Inc., American Signal Corporation, and Whelen Engineering Co., Inc. Three (3) of the four (4) manufacturers did meet the minimum pre-qualification requirements except for Whelen. The sirens of three (3) manufacturers were allowed to proceed on to the proposal step. Proposals were received on June 2, 2009. Evaluations of the proposals were then conducted by the evaluation committee. During the evaluation process it was realized that there would be compatibility problems due to the proprietary hardware and software for the sirens. Therefore it was realized that the RFP was flawed in that it allow for sirens that would not be compatible with the existing FSC installed infrastructure and the Commander control software which is currently being implemented to modernize siren control systems state-wide with existing disparate radio systems.

In addition, SCD has previously tested sirens purchased from Acoustical Technology, Inc. and American Signal, and the results have been that there are significant differences in the design and function of these model sirens, which make the integration of either manufacturer's product with the State-wide outdoor warning system impractical.

This includes differences in the function of siren modes and control schemes make operation of products from multiple manufacturers impractical requiring workarounds, or development of highly complex control systems that can interpret and respond to the control commands which are sent out to the sirens, or by using common modes and control scheme which are compatible, but unable to take advantage of newer high tech voice activation and over the air diagnostic testing and status reporting.

Sirens manufactured by Whelen have been considered, but they also have compatibility issues as above, as well as being unable to generate the 2 tone sound which is a basic specification for sirens.


**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
DIVISION OF PUBLIC WORKS**

DEC 9 2008

PM-1075.8

MEMORANDUM

TO: Mr. Russ K. Saito
State Comptroller

FROM: Ernest Y.W. Lau 
Public Works Administrator

SUBJECT: Request for Head of Purchasing Agency (HOPA) Determinations for the
Hawaii State Civil Defense
Disaster Warning and Communication Devices, Statewide
D.A.G.S. Job No. 16-14-7242

In preparation for a Request for Proposal solicitation, in accordance with HRS Chapter 103D to procure the furnishing and installation/construction of disaster warning and communication devices statewide for up to \$10.5 million in appropriations on behalf of the State Civil Defense (SCD), the procurement being proposed requires your written determination for the various items as detailed below.

COMPETITIVE SEALED PROPOSAL

As required by HAR §3-122-45(c), your written determination is required to proceed with the competitive sealed proposal.

A determination may be made to use competitive sealed proposals if it is determined that competitive sealed bidding is not advantageous, though practicable. In the past, we have procured disaster warning and communication devices using the competitive sealed bidding method, which is practicable; however, we feel that this is not advantageous to the State. These devices are critical infrastructure to our State's emergency warning system. Relying on a low bidder may not be in the best interest of the State and we would like to consider other factors such as qualifications, experience, and past performance with disaster warning and communication devices.


We have also obtained the approval of the Contractor's Licensing Board to allow the proposer be a non-licensed contractor with the intent of allowing manufacturers of the devices to submit the proposal and eventually be awarded the contract. The installation and/or construction work is generally limited to erecting a pole and installing the devices. The majority of the risk for failure is in the device itself for which the manufacturer is responsible. While we are not

Mr. Russ K. Saito
Letter No. PM-1075.8
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disallowing licensed contractors to submit a proposal, the competitive sealed proposal method will allow the State to take this into consideration in the evaluation criteria. We will still require that the actual installation and/or construction of the devices and appurtenances be done by appropriate specialty-licensed contractor.

Please indicate your concurrence with a determination to proceed with the competitive sealed proposal process. If you concur, we will be submitting a separate request in accordance with HAR §3-122-45.01 for a determination to use an evaluation committee and identify the committee members.

☒ CONCUR ☐ DO NOT CONCUR



RUSS K. SAITO
State Comptroller

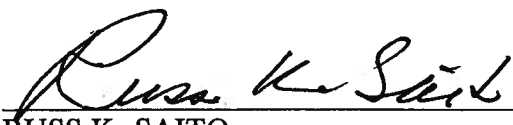
12/16/08
Date

GEOGRAPHICAL OR REGIONAL AWARD CONTRACT

In accordance with HAR §3-122-146(f) for geographic or regional award contract, your written determination is required. The solicitation will be statewide; however, we feel it can be advantageous or even necessary to award the contracts by County regions (i.e., County of Hawaii, County of Maui, County of Kauai, and the City and County of Honolulu.) The reason is that the cost of work varies within each County region and subcontractors who normally conduct their business within a particular County would likely offer the best price and provide the best service. This would allow the proposer to have the best pricing and services options which would also benefit the State.

Please indicate if you concur or do not concur with a determination to allow for awards by County regions.

☒ CONCUR ☐ DO NOT CONCUR



RUSS K. SAITO
State Comptroller

12/16/08
Date

MULTIPLE-TERM CONTRACT

In accordance with HAR §3-122-149(e) for multiple-term contract, your written determination is required. A multiple-term contract is necessary due to a large number (approximately 241) of sites currently planned and proposed for disaster communication and warning system devices to be installed over the next two to four years subject to available funding. We estimate that current funding of up to \$10.5 million will provide for approximately 100 to 125 of the 241 total currently planned and proposed sites over the initial two years of the contract. Due to the sometimes lengthy approval process to install disaster communication and warning system devices for each individual site, sites become available for installation of the devices on a piecemeal basis. Therefore, we propose to enter into a two-year contract with an allowance for a price adjustment in the second year of the contract. Because it is anticipated that we may not be able to complete all of the installations within the initial two years of the contract because of insufficient funding and/or not being able to obtain all the necessary approvals for the sites, we propose the multiple-term contract be allowed for extensions up to two additional one-year periods.

We feel it is in the best interest of the State to enter into a multiple-term contract. We anticipate that a multiple-term contract will provide effective competition and promote economy and consistent qualities due to the large quantity and relatively long-term obligation. Other reasons for a multiple-term contract are: completion of all proposed installations is anticipated to require future appropriations; manufacturers must pre-qualify their products which will require actual testing of their devices which can be costly since the manufacturers are on the mainland; and solicitation and submission of a competitive sealed proposal with pre-qualification testing requirements is lengthy, costly, and a burden to State and the proposers.

Please indicate if you concur with a determination to allow for multiple-term contract awards.

☒ CONCUR

☐ DO NOT CONCUR



RUSS K. SAITO
State Comptroller

12/16/08
Date



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STATE PROCUREMENT OFFICE
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STATE PROCUREMENT OFFICE
STATE OF HAWAII

RESTRICTIVE SPECIFICATIONS REQUEST

1. TO: Chief Procurement Officer

2. FROM: Russ K. Saito, Comptroller

Department/Division/Agency

Pursuant to Chapter 3-122, HAR, approval for the use of restrictive specifications is requested:

3. Description of Item/Product

See attached.

4. Unique Features

See attached.

5. Reason(s) Features are Essential

See attached.

7. Non-acceptable Alternatives

See attached.


8. Possible Sources

Any contractor with the appropriate specified license(s) to bid the project and to perform the work could be a possible source for this restrictive specification.

9. Direct questions to: Eric K. Nishimoto Phone: 808-586-0460

Agency shall ensure adherence to applicable administrative and statutory requirements.

I certify that the information provided above is to the best of my knowledge, true, correct and that the Item/Product is available through more than one source.


Department Head

Comptroller
Title

5/6/10
Date

Reserved for SPO Use Only

Chief Procurement Officer's Comments:

10.

☒ APPROVED ☐ DISAPPROVED

 5/26/2010
Chief Procurement Officer Date

ATTACHMENT TO
RESTRICTIVE SPECIFICATIONS REQUEST FOR
FEDERAL SIGNAL CORP. SIRENS

3. Description of Item/Product:

This restrictive specifications request is for Disaster Warning & Communication Device Systems (sirens) manufactured by Federal Signal Corporation (FSC).

The Hawaii State Civil Defense (SCD) is responsible for installing and maintaining the statewide system of sirens which are used to warn people in the area of sirens of a potential natural or man-made disaster or hazardous situation. These incidents include but are not limited to disasters such as a tsunami, hurricane, or an air raid attack on the people of Hawaii by an opposing group or country. There are currently 364 sirens located throughout the state and additionally 145 new sirens are required in areas that lack sufficient coverage. In addition, existing sirens will need to be upgraded due to compatibility requirements with the siren system controls or replaced due to its age. FSC sirens account for 361 sirens that are currently installed or in existence of the total 364 sirens statewide.

4. Unique Features:

The FSC siren system features are unique for the following reasons:

- 1) FSC sirens have become the De Facto standard for State of Hawaii Disaster Warning & Communication Device Systems through past competitively bid projects.
- 2) FSC sirens will allow SCD to fully implement a standardized control and maintenance of the system statewide.
- 3) FSC sirens will be fully compatible with existing FSC installed infrastructure and the Commander control software which is currently being implemented to modernize siren control systems state-wide with existing disparate radio systems, while providing increased security and accountability.
- 4) Having sirens from different manufacturers will not be compatible. FSC sirens will provide system supportability, and are backwards compatible and utilize common components with the broad range of existing FSC sirens currently installed in the State of Hawaii.
- 5) Some older electronic sirens will need to be retrofitted or replaced to implement the control capabilities of the current sirens. Because a very large majority of the existing sirens are FSC sirens, it is more feasible to retrofit existing FSC sirens than it is to replace all existing FSC sirens with another manufacturer's sirens. The estimated cost to retrofit existing FSC sirens for full compatibility with the current FSC control system is \$727,500. To replace all existing FSC with another manufacturer's siren is estimated to cost \$21,675,000. See attached letter from Major General Robert G.F. Lee, Director of Civil Defense dated December 21, 2009.

5. Reason Features are Essential:

The State of Hawaii Disaster Warning & Communication Devices System is comprised of 361 existing FSC sirens.

ATTACHMENT TO
RESTRICTIVE SPECIFICATIONS REQUEST FOR
FEDERAL SIGNAL CORP. SIRENS

- 1) FSC sirens have become the De Facto standard in the State of Hawaii. The existing 364 sirens state-wide are a combination of various vintage FSC sirens and 3 non-FSC sirens, which were purchased by State Civil Defense for their evaluation. The selection and award of FSC hardware in all State of Hawaii CIP projects has occurred through competitively bid CIP contracts in the past 20 years. The fact that no vendor has been able to successfully bid another vendor's sirens also reflects complicated integration aspects of the control and communications systems used to activate the sirens. FSC's technical staff has readily adopted and implemented State of Hawaii unique operational specifications into their product line to maximize the functionality of their products in the State of Hawaii.
- 2) Operational compatibility with the existing 361 FSC sirens statewide is critical. State Civil Defense has selected the FSC "Commander" control system, since it is inherently compatible with the existing FSC siren fleet. The use of the Commander console will standardize disparate control systems used in each County with a common automated controller with inherent access security to limit system control to only authorized uses with assigned passwords. This will preclude unauthorized system activation as well as improper use and false system activation by untrained staff. It also integrates directly with existing FSC sirens capable to providing system status and results of remote maintenance and diagnostic checks. This system will also facilitate remote siren control for individual and group siren sounding, and allows an authorized user to activate sirens from any location State-wide with access to the State intranet. This includes all County EOCs and Warning Points State-wide.
- 3) System supportability is essential due to technical training requirements, repair parts stocks, and support channel coordination. The support of non FSC sirens will require radio technicians to be trained on 2 or more manufacturer's products. Repair parts stocks would have to be significantly increased, to support disparate manufacturer sirens. Similarly, duplicate or triplicate support lines for factory level technical support and assistance will be required. This significantly increases the cost, complexity and burden on maintenance support operations. In view of the limited resources available in operation and maintenance budgets even in good economic times, establishing support for sirens manufactured by different manufacturers will significantly increase the burden and cost over the life cycle of the siren systems, and is impractical.

7. Non Acceptable Alternatives:

There are other siren manufacturers, however these other sirens would not be compatible with the existing FSC installed infrastructure and the Commander control software which is currently being implemented to modernize siren control systems state-wide with existing disparate radio systems, while providing increased security and accountability.

In an attempt to allow for non-restrictive specifications a Request for Proposal (RFP) was issued on January 15, 2009 which included a pre-qualification step for siren manufacturers to qualify their product. Four (4) siren manufacturers submitted pre-qualifications: Federal Signal Corporation, Acoustical Technology, Inc., American Signal Corporation, and Whelen Engineering Co., Inc. Three (3) of the four (4) manufacturers did

ATTACHMENT TO
RESTRICTIVE SPECIFICATIONS REQUEST FOR
FEDERAL SIGNAL CORP. SIRENS

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In addition, SCD has previously tested sirens purchased from Acoustical Technology, Inc. and American Signal, and the results have been that there are significant differences in the design and function of these model sirens, which make the integration of either manufacturer's product with the State-wide outdoor warning system impractical.

This includes differences in the function of siren modes and control schemes make operation of products from multiple manufacturers impractical requiring workarounds, or development of highly complex control systems that can interpret and respond to the control commands which are sent out to the sirens, or by using common modes and control scheme which are compatible, but unable to take advantage of newer high tech voice activation and over the air diagnostic testing and status reporting.

Sirens manufactured by Whelen have been considered, but they also have compatibility issues as above, as well as being unable to generate the 2 tone sound which is a basic specification for sirens.